

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

TRAXCELL TECHNOLOGIES, LLC.,

Plaintiff,

v.

CELLCO PARTNERSHIP,

Defendant

Case No. 6:24-mc-00613-ADA

Jury Trial Demanded

JOINT STIPULATION FOR FINAL JUDGMENT

Plaintiff Traxcell Technologies, LLC. (“Traxcell”) and Defendant Cellco Partnership (“Verizon”) (collectively, “the Parties”) submit this joint stipulation for final judgment, subject to Traxcell’s right to appeal, in light of the Court’s Order¹ denying Traxcell’s Temporary Restraining Order and Motion for Preliminary Injunction, as the Court’s Order found “Traxcell has no reasonable likelihood of prevailing in this case because the Verizon Fee Order is not void under Rule 60(b)(4).2.”² Thus, Traxcell cannot establish a required element of its cause of action under Rule 60(d)(1), that the Verizon Fee Award is void. Traxcell seeks to appeal the Court’s Order’s finding that the Verizon Fee Award is not void. The parties thus stipulate that final judgment should be entered against Traxcell’s sole cause of action under Rule 60(d)(1) seeking to void the Verizon Fee Award, with prejudice, subject to Traxcell’s right of appeal.

PRAYER FOR RELIEF

¹ Doc. No. 25.

² Id. at 15.

WHEREFORE, the Parties respectfully request that this Court enter Final Judgment with Traxcell to take nothing and Verizon as the prevailing party.

For Traxcell Technologies, LLC, approved by:

Respectfully,

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